

TULARE COUNTY WATER COMMISSION
MEETING MINUTES
January 13, 2014

Members Present:

Allen Ishida, Board Representative and Chairman
Richard L. Schafer, District 5 Appointee
Paul Boyer, District 1 Appointee
Mike Ennis, Board Alternate Representative
Dale Brogan, District 2 Appointee
Susana De Anda, At-Large Appointee

Members Absent:

Rudy Mendoza, TCAG Representative
Keith Watkins, At-Large Appointee
Dennis Keller, At-Large Appointee
Mark Larsen, District 3 Appointee
Chris Kapheim, District 4 Appointee

Staff Present:

Julieta Martinez, Tulare County Board of Supervisors
Denise Akins, County Administrative Office
Will Jackson, County Counsel

Members of the Public who voluntarily provided their names on the attendance sheet:

Carole Clum
Pat Pinkham
Michael Hickey
Michael Tharp
Shane Smith
Richard Garcia
Beverly Garcia
Steve Stadler
Cynthia Echavarria

1. Call to Order

The meeting was called to order at 3:09pm.

2. Public Comment Period

Carol Clum of Three Rivers provided the Commissioners with two handouts. One from the National Geographic Magazine and the other from the Audubon Magazine.

See attachment for comments.

3. Approval of Minutes from September 9, 2013 meeting
Approval of Minutes from October 14, 2013 meeting

The Commission did not have a quorum and could not vote on the minutes. They have been tabled for the next meeting.

4. Presentation by the Tulare Irrigation District on the McKay Point Reservoir Project

Mr. Aaron Fakuda of the Tulare Irrigation District delivered the presentation. He shared that the project has been in the works for several decades and the timing had never been right before for the owners. They

have now found the right time. The presentation is for the purpose of informing the water commission about the projects. The property is owned by three individual entities and they've held title to the property since the late 1880s.

The McKay Point Reservoir is financially feasible due to a partnership with CEMEX, which will excavate and market the materials. The resulting reservoir will create new space for water storage, provide flood control, allow for more efficient water distribution to agriculture, and it may allow for the generation of electricity when it is most needed.

The project will be processed through CEQA as a mining project. Unlike a traditional mine, the reclamation plan is the intended use- the creation of new storage via a reservoir. Tulare Irrigation District plans to store approximately 4,000 acre feet with an average depth of 60 feet and 110 acres of surface area.

There are two floating pump systems. They are planned to be powered by diesel engines. At the far side is a return facility to the St. Johns River. One of the critical points recognized was that cut-off walls will be installed during early stages of excavation, designed to minimize intrusion of groundwater to 500gpm. Water will be stored short term and distributed, which reduces surface evaporation.

As far as a timeline goes, it is anticipated that excavation will begin January 2015 and completed by December 2015. The idea is that storage will be created in phases until excavation is complete. CEMEX has until 2030 to complete the project.

This project brings new storage and it will also improve water management to support agriculture. In the long run, the idea is to use the water to supplement groundwater supplies.

Commissioner Schafer questioned if the reservoir was next to the Friant Kern Canal.

Aaron Fakudo shared that they do not have the ability to take water from the Friant. Discussion followed.

5. Approve a recommendation to the Board of Supervisors declaring a state of emergency due to drought

Chairman Ishida stated this item is to make a recommendation to the Board of Supervisors to declare a state of emergency.

Commissioner Schafer shared that the hydrology on the Tule River found that December of 2014 was the 4th driest year in the 110 years of record. The point is that it is dry. He questioned that it has anything to do with global warming. He stated that we have experienced similar droughts in 1930, 1960, and 1991. It seemed interesting they are all about 30 years apart. Those three dry years relative to this year ended up being 50% of normal because of precipitation that occurred in March. He moved to recommend to the Board of Supervisors that they urge the governor to declare a state of emergency.

Commissioner De Anda asked what we are doing as a County regarding this declaration. What is being done to prepare for this?

Chairman Ishida stated that eight cities in the County have their own water systems. We do not have control over the incorporated areas on their water use. There is not a lot that can be done there. He did share that he has been irrigating all year long and has used more water in the last three months than normal as these months are typically not irrigation months. We are past a point where conservation will get us out of where we are today. Agriculture has been having to irrigate all winter long.

Commissioner Schafer handed out a copy of the farm bureau news. It contained a letter from Assemblyman Jim Patterson with respect to the San Joaquin River Restoration.

Commissioner Brogan commented that as it stands right now there will not be CVP water allocations in 2014. This is how dire this situation is. Friant districts are already practicing conservation right now. To conserve our way out of this situation is simply not possible.

Will Jackson, County Counsel, stated that there is not a quorum to take a vote on this item but it can be discussed and brought back at a later date.

Chairman Ishida stated that with or without a quorum of the Commission, the Board of Supervisors will most likely take it up at the next meeting.

Commissioner Boyer asked if the letter from Patterson is suggesting that they haven't made the improvements to the San Joaquin River that would be useful. He wanted to clarify the Chairman was stating that there may not be enough water to release anyway.

Commissioner Boyer asked if there was a better approach to the recommendation to the Board of Supervisors.

Commissioner Brogan stated that there is not a lot that can be done. The only thing that can help the San Joaquin River right now is more rain and more snow. Discussion followed.

6. Update on Tulare Lake Basin Disadvantage Community Water Study

Commissioner De Anda shared that there was a Stakeholders Oversight Advisory Committee (SOAC) meeting in December 2013. Currently, the four pilots are in different stages. The Management Non Infrastructure Pilot is incorporating feedback and developing recommendations. The technical solutions is under the community review process with a meeting scheduled in Poplar next week. The third pilot, New Sources, is also under the community review process. The last pilot, Individual Households Solutions, concluded the PSAG meeting in December and the community review is to be announced. The group is thinking about having additional SOAC information meetings most likely in March or April and having two more formal meetings in April or June.

7. Subcommittee Reports

Nothing at this time.

8. Staff Reports

None at this time.

9. Commissioners Comments

Commissioner Schafer brought up the Irrigated Lands Regulatory Program and the need for the third parties to access County data on groundwater quality. It was his understanding that the MOU with the parties is under consideration. To provide an indication of timing, the Kings had their notice of confirmation for applicability on November 20th of 2013. Both the Kaweah and the Tule are further negotiating with the Regional Board on their boundaries for acceptance of application of landowners in the upper water sheds of the basins in Tulare County. That's still at dispute and it probably will not be resolved until perhaps the end of this month. The third parties acceptance for the Kaweah and Tule basins will not occur until sometime in February. It would make it convenient if we could have the MOU developed by sometime in mid-February. He asked staff if there were any comments.

Denise Akins shared that she will be preparing a request to County Counsel to get some feedback on what exactly is needed for an agreement or how the data can be released.

10. Next meeting – Monday, February 10, 2014, 3:00 p.m. – Board of Supervisors Chambers

11. Adjourn

The meeting was adjourned at 4:05pm.